

N. FIE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Kayvan Najarian et al.

Serial No : 10/812,726 Filed : March 30, 2004

For : Methods and Systems for Gene Expression Array Analysis

Examiner : Zhou, Shubo

Art Unit : 1631

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicants submit herewith on Form PTO/SB/08A a listing of 75 documents known to the Applicants and/or their attorney. Applicants respectfully request consideration of the cited documents and making the same of record in the prosecution of the above-identified application. In so doing, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the present application, or to establish that such references are not prior art. Pursuant to the Notice in the Official Gazette of August 5, 2003, wherein the Patent Office waived the requirements of 37 C.F.R. § 1.98(a)(2)(i), Applicant has not enclosed copies of the U.S. patent references. Copies of foreign or international documents, and non-patent literature (documents 6-75), are enclosed, numbered and labeled for identification purposes.

This statement should not be construed as a representation that more material information does not exist or that a search of the relevant art has been made. It is respectfully requested that the references listed on the attached form PTO/SB/08A be expressly considered by the Examiner, made of record in the application, and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being submitted prior to the mailing of a first substantive Office Action in this application, and, therefore, no certification or fee is required (37 C.F.R. § 1.97b(3)). However, should any fees be due, the Commissioner is authorized to charge such fees to Deposit Account No. 16-1435. A duplicate of this sheet is attached for that purpose.

Respectfully submitted,

Cynthia B. Rothschild Reg. No. 47,040

KILPATRICK STOCKTON LLP 1001 West Fourth Street Winston-Salem, North Carolina 27101-2400

(336) 747-7541 (Phone) (336) 734-2610 (Facsimile)

Date: Ochber 8, 2004

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PATENT

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PTO/SB/08a (08-03) Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A Complete if Known 10/812,726 Application Number INFORMATION DISCLOSURE March 30, 2004 Filing Date STATEMENT BY APPLICANT First Named Inventor Kayvan Najarian et al. 1631 Art Unit (Use as many sheets as necessary) Examiner Name Zhou, Shubo 46872-293662 (UNCC 02-031) Sheet 8 Attorney Docket Number

			U.S. PATENT	OCUMENTS	
Examiner	Cite	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of	Pages, Columns, Lines, Where Relevant
Initials *	No.1	Number - Kind Code ² (if known)		Cited Document	Passages or Relevant Figures Appear
	1	6,222,093	4/24/2001	Marton et al.	
	2	6,263,287	7/17/2001	Zheng et al.	
	3	6,303,301	10/16/2001	Mack	
	4	6,453,241	9/17/2002	Bassett, Jr. et al.	
	5	6,642,887	11/4/2003	Owechko	
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Substitute for form 1449B/PTO Complete if Known Application Number 10/812,726 INFORMATION DISCLOSURE March 30, 2004 Filing Date STATEMENT BY APPLICANT First Named Inventor Kayvan Najarian et al. Art Unit 1631 (Use as many sheets as necessary) Zhou, Shubo Examiner Name Sheet 2 of Attorney Docket Number 46872-293662 (UNCC 02-031)

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	6	BACK, A. D. et al. "A First Application of Independent Component Analysis to Extracting Structure From Stock Returns," Int. J. Neural Syst.", 8:5, October, 1997	
	7	BASSETT, D. E. Jr. et al., "Gene Expression Informatics – It's All In Your Mine," Nat Genet. 1999 January 1999, 21 (1 Suppl):51-5	
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	10	CHEUNG, V. G. et al., "Making and Reading Microarrays," Nat Genet. 1999 Jan. 21 (1 Suppl):15-9	
	11	CHO, R. J., et al., "A Genome-Wide Transcriptional Analysis of the Mitotic Cell Cycle," Molecular Cell, 2:65-73, July 1998	
	12	DARVISH, A. et al., A Hierarchical System Identification Technique for Modeling and Analysis of Dynamic Pathways," Bioinformatics, May 2004	
	13	DARVISH, A. et al., "Discovering Dynamic Regulatory Pathway by Applying an Auto Regressive Model to Time Series DNA Microarray Data," IEEE Engineering in Medicine and Biology Society (IEEE/EMBS), Sept. 1-5, 2004	
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	16	DUGGAN, D. J. et al., "Expression Profiling Using cDNA Microarrays," Nat Genet. 1999 Jan. 21 (1 Suppl):10-4	

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Substitute	Substitute for form 1449B/PTO		Complete if Known		
INFORMATION DISCLOSURE				Application Number	10/812,726
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STATEMENT BY APPLICANT		First Named Inventor	Kayvan Najarian et al.		
				Art Unit	1631
	(Use as many	sheets as	necessary)	Examiner Name	Zhou, Shubo
Sheet	3	of	8	Attorney Docket Number	46872-293662 (UNCC 02-031)

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	17	GREENBERG, S. A., "DNA Microarray Gene Expression Analysis Technology and Its Application to Neurological Disorders," Neurology, 2001 Sept 11; 57(5):755-61	
	18	HACIA, J. G., "Resequencing and Mutational Analysis Using Oligonucleotide Microarrays," Nat Genet. 1999 Jan. 21(1 Suppl):42-7	
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	29	PAJUNEN, P. et al., "Non-Linear Blind Source Separation by Self-Organizing Maps," Proc. Int. Conf. On Neural Information Processing, Hong Kong, pp. 1207-1210, 1996	
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	38	WU, T. D., "Analysing Gene Expression Date from DNA Microarrays to Identify Candidate Genes," J Pathol. 2001 Sep;195(1):53-65	

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	39	YEUNG, K. Y. et al., "Principal Component Analysis for Clustering Gene Expression Data," Bioinformatics, 2001 Sep;17(9):763-74	
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	41	"Microarray Explorer Tool for Data Mining Gene Expression Patterns," web page at http://maexplorer.sourceforge.net/ as available via the internet and printed on November 2, 2003	
	42	"My Microarray Software Comparison - Image Analysis Software," web page at http://ihome.cuhk.edu.hk/~b400559/arraysoft_image.html as available via the internet and printed on November 2, 2003	
	43	"My Microarray Software Comparison - Data Mining Software," web page at http://ihome.cuhk.edu.hk/~b400559/arraysoft_mining.html as available via the internet and printed on November 2, 2003	
	44	"My Microarray Software Comparison - Data Preprocessing Software," web page at http://ihome.cuhk.edu.hk/~b400559/arraysoft_preprocess.html as available via the internet and printed on November 2, 2003	
	45	"My Microarray Software Comparison - Statistics Software and Technical Programming Languages," web page at http://ihome.cuhk.edu.hk/~b400559/arraysoft_statistics.html as available via the internet and printed on November 2, 2003	
	46	"My Microarray Software Comparison," web page at http://ihome.cuhk.edu.hk/~b400559/arraysoft.html as available via the internet and printed on November 2, 2003	
	47	"My Microarray Software Comparison – Data Mining Software (Turnkey/Enterprise System)," web page at http://ihome.cuhk.edu.hk/~b400559/arraysoft_mining_turnkey.html as available via the internet and printed on November 2, 2003	

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	50	"My Microarray Software Comparison – Network/pathway Reconstruction and Analysis Software," web page at http://ihome.cuhk.edu.hk/~b400559/arraysoft_pathway.html as available via the internet and printed on November 2, 2003	
	51	"My Microarray Software Comparison – R Packages for Microarray Analysis," web page at http://ihome.cuhk.edu.hk/~b400559/arraysoft_rpackages.html as available via the internet and printed on November 2, 2003	
	52	Affymetrix web page at http://www.biospace.com/company_profile.cfm?CompanyID=1271 as available via the internet and printed on February 23, 2004	
	53	An IMS Mini-Meeting on Imaging, Classification, and Clustering, Department of Statistics, University of Florida, January 11-12, 2002	
	54	Bioconductor web page at http://www.bioconductor.org/top.html as available via the internet and printed on November 2, 2003	
	55	BioSieve Products - Microarray Data Analysis Software at http://www.biosieve.com/product.html as available via the internet and printed on November 2, 2003	

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	56	Cluster Analysis on Microarray Data at web page http://www.cs.bufalo.edu/~djiang3/cluster.html as available via the internet and printed on November 10, 2003	
	57	Clustering Software web page at http://genetics.stanford.edu/~sherlock/cluster.html as available via the internet and printed on November 2, 2003	
	58	Cytoscape web page at http://www.cytoscape.org/ as available via the internet and printed on November 2, 2003	
	59	Engene Gene-Expression Data Processing and Exploratory Data Analysis web page at http://www.engene.cnb.uam.es/ as available via the internet and printed on November 2, 2003	
	60	Expression Profiler web page at http://ep.ebi.ac.uk/EP/ as available via the internet and printed on November 2, 2003	
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	62	Gene Expression Pattern Analysis Suite (GEPAS) at http://gepas.bioinfo.cnio.es/tools.html as available via the internet and printed on November 2, 2003	
-	63	Gene Network Sciences, Simulating Life for Drug Discovery web page at http://www.gnsbiotech.com/biomine.shtml as available via the internet and printed on November 2, 2003	
_	64	Gene Network Sciences, BioMine™ 1.0, web page at http://www.gnsbiotech.com/biomine.shtml as available via the internet and printed on November 2, 2003	
	65	GeneMaths: GenExplore - High Throughput Analysis of Gene Expression Data at http://www.applied-maths.com/ge/ge_fr2.htm as available via the internet and printed on November 2, 2003	

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INITO		DIC	OL OCUPE	Application Number	10/812,726	
	-		CLOSURE	Filing Date	March 30, 2004	
STATEMENT BY APPLICANT				First Named Inventor	Kayvan Najarian et al.	
				Art Unit	1631	
(Use as many sheets as necessary)				Examiner Name	Zhou, Shubo	
Sheet	8	of	8	Attorney Docket Number	46872-293662 (UNCC 02-031)	

	,	NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	66	Genesis Description at http://genome.tugraz.at/Software/Genesis/Description.html as available via the internet and printed on November 2, 2003	
	67	Genotypic Technology: Genowizard Microarray Data Analysis System web page at http://www.genotypictech.com/genowizard.htm as available via the internet and printed on November 2, 2003	-
	68	HumanaNow, "Statistical Issues in cDNA Microarray Data Analysis," web page at http://biomed.humanapress.com/ChapterDetail.pasp?isbn=1-59259-364-X&ccode=1-5925 as available via the internet and printed on November 2, 2003	
	69	IFMBE News: September 2002 web page at http://ifmbe-news.iee.org/ifmbe-news/sept2002/bucolo.html as available via the internet and printed on November 10, 2003	
	70	MPI Swarm Description http://genome.tugraz.at/Software/PathwayEditor/Description.html as available via the internet and printed on November 2, 2003	
	71	Partek Pattern Recognition Software web page at http://www.partek.com/html/products/products.html as available via the internet and printed on November 2, 2003	
	72	Rosetta Features web page at http://rosetta.lcb.uu.se/general/features.html as available via the internet and printed on November 2, 2003	
	73	SAS, web page at http://www.sas.com/contact/intro.html as available via the internet and printed on February 16, 2004	
	74	Silicon Genetics Products: GeneSpring; The Industry Leader web page at http://www.silicongenetics.com/cgi/SiG.cgi/Products/GeneSpring/index.smf as available via the internet and printed on November 2, 2003	
	75	The MathWorks, web page at http://www.mathworks.com/company/contact.shtml as available via the internet and printed on February 16, 2004	

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